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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | |
|----------------------|------------------------------|
| Application Number | 10/684,065 |
| Filing Date | October 10, 2003 |
| First Named Inventor | Kenneth W. Welch, Jr. et al. |
| Art Unit | 3746 |
| Examiner Name | Unknown |

Total Number of Pages in This Submission **6** Attorney Docket Number **021603.0102PTUS (021603.0103)****ENCLOSURES (check all that apply)**

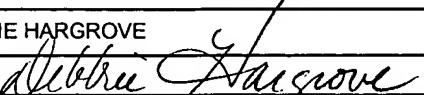
| | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | Copies of cited references; and |
| <input checked="" type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | Acknowledgment Postcard. |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|---|
| Firm or Individual name | ROBERT C. HILTON, Reg. No. 47,649 |
| Signature |  |
| Date | APRIL 14, 2004 |

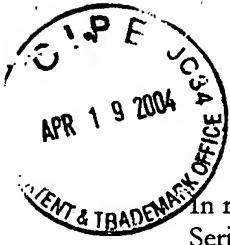
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | |
|-----------------------|---|
| Typed or printed name | DEBBIE HARGROVE |
| Signature |  |
| Date | APRIL 15, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Kenneth W. Welch, Jr. et al.

Serial No.: 10/684,065

Group Art Unit: 3746

Examiner: Unknown

Filed: October 10, 2003

Attorney Docket No.: 021603.0102PTUS (Old No. 021603.0103)

For: BUOYANCY PUMP POWER SYSTEM

INFORMATION DISCLOSURE STATEMENT

Mail Stop Non-Fee Amendment

Commissioner For Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is directed to the cited reference(s) listed on the attached PTO/SB/08A and PTO/SB/08B. The cited references are believed to be the most relevant known to Applicant(s) and/or Assignee at this time concerning the invention as claimed in the above-captioned patent application. No representation is made or intended that more relevant information does not exist or that the order of presentation of the information in any way reflects their relative pertinence.

Applicant(s) respectfully request(s) that each of the cited information be expressly considered during the prosecution of this application and that the cited reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. If required, a copy of each reference is attached.

1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. Thus, no certification or fee is required.

2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. 37 C.F.R. §1.97(d).

a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1). Thus, it is believed that no fee is required.

b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2). Thus, it is believed that no fee is required.

- c. In payment of the fee under 37 C.F.R. § 1.17(p).
- i. Attached is a check for the amount of \$180.00.
- ii. Please charge Deposit Account No. for the amount of \$180.00.
- Please credit or debit Deposit Account No. as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.
3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Action or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) petition(s) that the Information Disclosure Statement be considered. For payment of the petition fee (37 C.F.R. §1.17(p)):
- i. Attached is a check for the amount of \$130.00.
- ii. Please charge Deposit account No. for the amount of \$130.00.
- Please credit or debit Deposit Account No. as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.
- a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1).
- b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2).
4. The reference(s) was/were cited in a counterpart foreign application. For the Examiner's information, a concise explanation of the relevance, as it is presently understood by the individual designated in Section 1.56(c) most knowledgeable about the content of the information, of each patent, publication, or other information listed that is not in the English language, is attached hereto.
5. It is believed that no fees are due. However, if necessary please charge deficient fees, or credit any overpayment of fees associated with this communication to Deposit Account No. 50-2816.

Respectfully submitted,
PATTON BOGGS, LLP

Date: April 14, 2004

By: 

Robert C. Hilton, Reg. No. 47,649

Customer No. 24283

[or]

Address:



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| Substitute for form 1449A/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | <i>Application Number</i> | 10/684,065 |
| | | <i>Filing Date</i> | October 10, 2003 |
| | | <i>First Named Inventor</i> | Kenneth W. Welch, Jr. |
| | | <i>Art Unit</i> | 3746 |
| | | <i>Examiner Name</i> | Unknown |
| <i>(Use as many sheets as necessary)</i> | | <i>Attorney Docket Number</i> | 021603.0102PTUS (55502-00003) |
| Sheet | 1 | of | 5 |

U.S. PATENT DOCUMENTS

| Examiner Initials * | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---------------------|-----------------------|--|--------------------------------|--|---|
| | | Number - Kind Code ² (if known) | | | |
| | A-1 | US-4,914,915 | 04/10/1990 | Linderfelt | |
| | A-2 | US- 4,739,182 | 04/19/1988 | Kenderi | |
| | A-3 | US- 4,726,188 | 02/23/1988 | Woolfolk | |
| | A-4 | US- 4,464,080 | 08/07/1984 | Gorlov | |
| | A-5 | US- 4,455,824 | 06/26/1984 | Dabringhaus | |
| | A-6 | US- 4,425,510 | 01/10/1984 | Jury | |
| | A-7 | US- 4,208,878 | 06/24/1980 | Rainey | |
| | A-8 | US- 4,185,464 | 01/29/1980 | Rainey | |
| | A-9 | US- 4,103,490 | 08/01/1978 | Gorlov | |
| | A-10 | US- 3,047,207 | 07/31/1962 | Baldwin et al. | |
| | A-11 | US- 1,523,031 | 01/13/1925 | Mitchell, Jr. | |
| | A-12 | US- 1,358,259 | 11/09/1920 | Stein | |
| | A-13 | US- 1,105,249 | 07/28/1914 | Bustos | |
| | A-14 | US- 1,036,502 | 08/20/1912 | Marsden | |
| | A-15 | US- 657,355 | 09/04/1900 | Nagler | |
| | A-16 | US- 646,199 | 03/27/1900 | Walker | |
| | A-17 | US- 631,994 | 08/29/1899 | Montague | |
| | A-18 | US- 597,833 | 01/25/1898 | Palmer | |
| | A-19 | US- 597,832 | 01/25/1898 | Palmer | |
| | A-20 | US- 2002/0047273 A1 | 04/25/2002 | Burns et al. | |

FOREIGN PATENT DOCUMENTS

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ²Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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| Substitute for form 1449A/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | Application Number | 10/684,065 |
| | | Filing Date | October 10, 2003 |
| | | First Named Inventor | Kenneth W. Welch, Jr. |
| | | Art Unit | 3746 |
| | | Examiner Name | Unknown |
| Sheet | 2 | of | 5 |
| | | Attorney Docket Number | |
| | | 021603.0102PTUS (55502-00003) | |

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

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|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

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| Application Number | 10/684,065 |
| Filing Date | October 10, 2003 |
| First Named Inventor | Kenneth W. Welch, Jr. |
| Art Unit | 3746 |
| Examiner Name | Unknown |

Attorney Docket Number 021603.0102PTUS (55502-00003)

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|---------------------|-----------------------|---|----------------|
| | C-1 | PCT International Search Report dated February 9, 2004, International Application No. PCT/US03/32374. | |
| | C-2 | RICHARD BOUD; "Status and Research and Development Priorities, 2003 - Wave and Marine Current Energy"; International Energy Agency; DTI Report Number FES-R-132; AEAT Report Number AEAT/ENV/1054; pp. 1-77. | |
| | C-3 | OWEC Proposal; (Prior Wave Energy Conversion Techniques); publication date unknown; pp. 1-4; www.owec.com | |
| | C-4 | AUSTRALIAN CRC FOR RENEWABLE ENERGY, LTD.; Wave Energy Systems; pp. 1-4; publication date unknown; www.acre.murdoch.edu.au | |
| | C-5 | ATLAS; Wave Energy - Current Market Position; p. 1; publication date unknown; www.europa.eu.int | |
| | C-6 | ATLAS; Wave Energy - The Technology - Offshore Devices; pp. 1-2; publication date unknown; www.europa.eu.int . | |
| | C-7 | Wave Dragon website; "Wave Dragon – a large offshore wave energy converter"; pp. 1-27; publication date unknown; www.wavedragon.net . | |
| | C-8 | Ocean Power Delivery Ltd. website; "The Pelamis Wave Energy Converter"; pp. 1-2; publication date unknown; www.oceanpd.com . | |
| | C-9 | Hydam Technology Limited website; pp. 1-4; publication date unknown; www.wave-power.com . | |
| | C-10 | Archimedes Wave Swing website; pp. 1-8; publication date unknown; www.waveswing.wwxs.net . | |
| | C-11 | AquaEnergy Group Ltd. website; pp. 1-8; publication date unknown; www.aquaenergygroup.com . | |

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet

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| Application Number | 10/684,065 |
| Filing Date | October 10, 2003 |
| First Named Inventor | Kenneth W. Welch, Jr. |
| Group Art Unit | 3746 |
| Examiner Name | Unknown |

Attorney Docket Number 021603.0102PTUS (55502-00003)

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|---------------------|-----------------------|---|----------------|
| | C-12 | Float Incorporated website; "The Pneumatically Stabilized Platform or PSP"; pp. 1-8; February 22, 2004; www.floatinc.com | |
| | C-13 | Ocean Power Technologies website; "The Power of Waves. The Future of Energy." pp. 1-5; publication date unknown; www.oceanpowertechnologies.com | |
| | C-14 | Scientific Applications & Research Associates (SARA) Inc. website; "Renewable & Alternative Electrical Energy"; pp. 1-4; publication date unknown; www.sara.com. | |
| | C-15 | Energetech website; "Sustainable and Innovative Energy"; pp. 1-4; publication date unknown; www.energetech.com.au. | |
| | C-16 | EUREKA website; "Wave Power"; pp. 1-2; publication date unknown; www.eureka.be. | |
| | C-17 | Global Technology website; "Plymouth launches new power source on the crest of a wave!"; pp. 1-2; publication date unknown; www.globaltechnoscan.com. | |
| | C-18 | J R M Taylor, I Mackay; "The Design of an eddy current dynamometer for a free-floating sloped IPS buoy"; Paper given at MAREC 2001 International Conference on Marine Renewable Energies organized by the Institute of Marine Engineers and the University of Newcastle; March 2001; pp. 1-11; www.mech.ed.ac.uk. | |
| | C-19 | World Energy website; "WEC Survey of Energy Resources 2001 - Wave Energy"; pp. 1-15; publication date unknown; www.worldenergy.org. | |
| | C-20 | Wavegen website; pp. 1-4; publication date unknown; www.wavegen.co.uk. | |
| | C-21 | DaeDalus Ltd. website; "Introduction to an advanced Hybrid (Wave & Wind) Renewable Energy Technology (RET) Multipurpose System"; pp. 1-5; publication date unknown; 195.170.12.01/DAE1/PRODUCTS/RET/General/RETWW1.html. | |
| | C-22 | Ocean Motion International website; "Floating Platform"; no information available on website; www.oceanmotion.net. | |

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| Examiner Signature | Date Considered |
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|---------------------|-----------------------|---|----------------|
| | C-23 | Kvaerner website; "Offshore OWC"; no information available on website; www.kvaerner.com. | |
| | C-24 | U.S. Myriad Technologies website; "SEAGENS"; no company website information available. | |
| | C-25 | SeaVolt Technologies website; "Wave Rider"; no information available on website; www.seapower.cc. | |
| | C-26 | Edinburgh University, "Salter Duck"; no company website information available. | |
| | C-27 | "Sea Clam"; No company information available. | |
| | C-28 | "Tapchan"; No company information available. | |
| | C-29 | Muroran Institute of Technology and Cold-Region Port and Harbor Research Center website; "Pendular"; no information available on website; www.muroran-it.ac.jp. | |
| | C-30 | Japan Marine Science and Technology Center website; "Mighty Whale"; no information available on website; www.jamstec.go.jp. | |
| | C-31 | Yoshio Masuda of Japan; "Backward Bend Duct Buoy"; no website information available. | |
| | C-32 | "Swedish Hosepump"; No company information. | |
| | C-33 | Lancaster University - Professor French website; "PS Frog"; no website information available. | |

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| Examiner Signature | Date Considered |
|--------------------|-----------------|

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